

Appl. No. 10/677,925

Amdt dated October 13, 2006

Amendment and Response to Office Action dated 06/13/2006

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Amendments to the Drawings.

A replacement sheet for Figure 5 is attached hereto. Figure 5 has been amended to add descriptive textual labels.

REMARKS

Claims 1-19 are pending in the application, with Claims 1, 10 and 15 being independent claims. The foregoing amendment amends the abstract and the drawings to address the objections raised by the Examiner.

Never Does Not Anticipate the Claimed Invention

The Examiner rejected the claims under 35 U.S.C. § 102(e) as being anticipated by U.S. Pub. No. 20030212684 ("Meyer"). Meyer describes remotely configuring devices based on their location. Figure 1 of Meyer illustrates a service provider (32) connected to an intermediate server (60) that tracks the location of portable devices (12) and remotely configures the devices via network (20). The intermediate server maintains location and preference information for the devices. The location information can be provided by the devices, using GPS or user entered data, or can be determined by the intermediate server, using triangulation techniques or cellular-tower proximity information. Paragraph 0091. The location information and the preference information are used to configure the device. For example, if the device is used in multiple geographic locations, each of which requires different access configurations, then the location and preference information are used to remotely and automatically configure the device. Paragraph 0097.

The present invention is directed to maintaining an association between a distribution device, such as a receiver unit located at a cable head end, and a shared end user characteristic, such as location. For example, the claimed invention determines the geographic locations of the users served by a receiver unit. In a cable television embodiment, the association between the receiver unit and the shared end user characteristic is important because the receiver unit may create customized programming based on the characteristic. To determine the locations served by the receiver unit, Claim 1 recites that the receiver unit provides a unique ID that identifies the receiver unit to the end viewers and requests that the end viewers associate the ID with their geographic area. Upon receiving the

information from the users, a database that stores the geographic areas served by the receiver unit is updated.

Meyer does not describe that the intermediate server sends a unique ID associated with the server to the remote devices and requests that users of the devices associate the ID with their location. Instead, Meyer describes that the location of the device is determined solely by the device or by the intermediate server. It is not clear whether Meyer contemplates multiple intermediate servers or not, but assuming that Meyer describes multiple intermediate server, the important determination is the absolute geographical location of the devices, not the association between a particular intermediate server and the device.

The Examiner alleged that Paragraphs 0023 and 0091 of Meyer describe providing a unique receiver unit ID. Paragraph 0023 describes that people want more control over their electronic devices and paragraph 0091 describes how the location of a remote device is determined. Neither section describes that the intermediate server provides a unique ID to the remote devices.

The Examiner also alleged that Paragraphs 0016 and 0018 of Meyer describe requesting that an end viewer associate the unique ID with the geographic area associated with the end viewer. Paragraph 0016 describes enhanced services available in the next generation of screen phones and paragraph 0018 describes the need for upgrades to connect a variety of entertainment devices. Neither section describes requesting a user to associate a unique ID received from a receiver unit with a geographic area.

It is submitted that Meyer does not describe each and every element of Claim 1 since Meyer does not describe providing a unique receiver unit ID and receiving an association between the unique ID and a geographic area associated with a user.

Independent Claims 10 and 15 also require providing a unique receiver unit ID, requesting an association between the ID and a geographic area, and updating a database

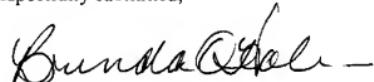
based on the received association and are distinguishable over Meyer for the same reasons as Claim 1.

Dependent Claims 2-9, 11-14 and 16-19 depend from independent Claims 1, 10 and 15 respectively. The dependent claims are distinguishable from Meyer for at least the same reasons as the independent claims.

CONCLUSION

In light of the foregoing, it is respectfully submitted that the pending claims are allowable and a notice of allowance is respectfully requested. If there are any issues that can be resolved via a telephone conference, the Examiner is invited to contact Brenda Holmes at 404.685.6799.

Respectfully submitted,



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